



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DIVISION OF WATER SUPPLY
WATER SUPPLY PERMITTING
BUREAU OF WATER ALLOCATION
P.O. BOX 426
TRENTON, NEW JERSEY 08625-0426
TEL.# 609-292-2957
FAX.# 609-633-1495

JON S. CORZINE
Governor

LISA P. JACKSON
Commissioner

April 2, 2008

Mr. Samuel Leshay
Leshay Farms
328 Catawba Avenue
Newfield, New Jersey 08344

Dear Mr. Leshay:

Re: Modification of Agricultural Certification No. GL0182
Activity No. AGC040002

The Bureau of Water Allocation (Bureau) has completed its review of the subject application. The Bureau is recommending denial of the modification to add Well Nos. 5 and 6, Permit Nos. 3100063314 and 3100006890, pursuant to N.J.A.C. 7:20A-2.5(j)3. In addition, the approval to operate Well No. 4, Permit No. 3100058063, is proposed to be revoked from your Certification. Diversion from Well Nos. 4, 5 and 6 poses a concern due to the potential for these sources to intercept contaminated ground water emanating from the nearby Shieldalloy Metallurgical Corporation (SMC), a known contaminated site. The use of these wells also potentially interferes with the ongoing remediation at SMC. Therefore, as Well Nos. 5 and 6 are not approved sources, any further use of these wells should cease immediately.

Enclosed are copies of the following documents providing the basis for the recommended decision:

- (1) The Draft Certification modified to include only Well Nos. 1 and 3, Permit Nos. 5100000392 and 3100022330 respectively;
- (2) Draft Report explaining and justifying the denial of the requested addition of diversion sources, well Nos. 5 and 6, and revocation of well No. 4; and
- (3) February 15, 2008 Memorandum from the Department's Site Remediation Program (SRP) regarding the SMC site and Leshay Farms.

These documents are being provided to you for your review and comments prior to the Department finalizing its decision. As per N.J.A.C. 7:20A-2.5(k), if you are not in agreement with these findings you may request that the Department convene an advisory panel meeting prior to the decision being issued. If this informal meeting does not result in an agreement among the involved parties, upon your request, the Department shall schedule a public hearing.

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Please provide in writing any comments you may have on the Draft Certification and Report, and your decision whether you would like to request a meeting of the advisory panel. If we do not receive a response by May 2, 2008, the Department will proceed with issuance of the denial.

There are two other issues that need to be addressed:

1. Well No. 4 was inadvertently omitted from your water use report form for the year 2004. A revised annual diversion report form (which includes Well No. 4) is enclosed for your revision and submittal. This revised form should be submitted by May 2, 2008.
2. If you intend to use Well No. 7 (Permit No. 3100072467), which was drilled in 2007, you must initiate a modification application to add this well. At this time, Well No. 7 is not an approved diversion source and no diversion from it shall occur until a modified certification is obtained authorizing its use. This well is less likely to interfere with the remediation of SMC as it is farther away from the site. An application form is enclosed for your use. Please contact your Agricultural Agent, Jerome Frecon for assistance in completing the form.

If you have any questions regarding this matter, please contact Jay Patel of my staff at (609) 292-2957.

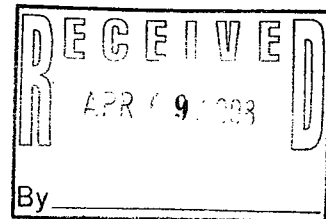
Sincerely,

Diane E. Zalaskus

Diane E. Zalaskus, P.E.
Bureau Chief
Bureau of Water Allocation
Division of Water Supply

Enclosures

c: Jerome I. Frecon, Gloucester County
Agricultural Agent (w/ enclosures)
Wesley Kline, Cumberland County
Agricultural Agent (w/ enclosures)
Ed Post, Chief, Southern Bureau of Water
Compliance & Enforcement
Monique Purcell, Director, Rural Resources,
Department of Agriculture (w/ enclosures)
Stephen Maybury, Chief, BCM
~~Diane E. Zalaskus, P.E.~~
Jay Patel, BWA
George Nicholas, SRP
David R. Smith, SMC



MONITORING PERIOD: 01/01/2007 - 12/31/2007

ACTIVITY CODE: AGC010001 - Agricultural Certification - New

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Annual Water Use Report

GRAM INTEREST: GL0182 - LESHAY FARMS
 ACTIVITY CODE: AGC010001 - Agricultural Certification - New

MONITORING PERIOD: 01/01/2006 - 12/31/2006

Subject Item	Parameter	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Report Value In Units of:
WSWL 67679 - 3 3100022330, WELL 8	Water Diverted	0	0	0	0	.27	.51	.3	0	0	0	0	0	Million Gallons
WSWL 70713 - 5100000392, WELL 1	Water Diverted	0	0	0	1.26	0	0	0	0	0	0	0	0	Million Gallons
Well # 3100058063 4	"	0	0	0	0	0	1.8	1.62	0	0	0	0	0	"
Well # 3100063314 5	"	0	0	0	1.3	1.6	1.8	1.02	1.30	.34	0	0	0	"
Well # 3100006890 6	"	0	0	0	0	0	0	0	0	0	0	0	0	"

Backup well
 #6 not used
 this season

Annual Water Use Report

NJDEP Preprint ID: 41836

PROGRAM INTEREST: GL0182 - LESHAY FARMS

ACTIVITY CODE: AGC010001 - Agricultural Certification - New

MONITORING PERIOD: 01/01/2005 - 12/31/2005

Subject Item	Parameter	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Report Value in Units of:
3100058063, WELL 3	Water Diverted	0	0	0	0	.66	1.11	.51	0	0	0	0	0	Million Gallons
3100004823, WELL 4	Water Diverted	0	0	0	0	0	.54	1.08	.66	0	0	0	0	Million Gallons
3100006890, well 5	Backup Well - Not used in 2005													
31000633114, well 6		0	0	0	0	2.64	3.42	6.78	3.78	0	0	0	0	

Annual Water Use Report

PROGRAM INTEREST: GL0182 - LESHAY FARMS

ACTIVITY CODE: AGC010001 - Agricultural Certification - New

MONITORING PERIOD: 01/01/2003 - 12/31/2003

Subject Item	Parameter	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Report Value in Units of:
MSWL 67679 - 3100022330, WELL 2	Water Diverted	0	0	NOT 0	USED 0	IN 0	2003 0	0	PLANTED 0	IN 0	WHEAT 0	0	0	Million Gallons 0
MSWL 70713 - 5100000392, WELL 1	Water Diverted	0	0	0	.50	1.80	1.60	1.260	3.34	0	0	0	0	Million Gallons 8.50
3104823 WELL 3	WATER DIVERTED	0	0	0	0	.80	.90	1.30	.85	0	0	0	0	3.85
3158063 WELL 4	WATER DIVERTED	0	0	0	0	1.05	1.00	1.40	1.10	0	0	0	0	4.55